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OBSERVER STATUS OF NATIONAL LIBERATION MOVEMENTS RECOGNIZED BY THE ORGANIZATION OF AFRICAN UNITY AND/OR BY THE LEAGUE OF ARAB STATES

Report of the Sixth Committee

Rapporteur: Mr. Wael Kamal ABOULMAGD (Egypt)

I. INTRODUCTION

1. The item entitled "Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States" was included in the provisional agenda of the forty-seventh session of the General Assembly, pursuant to Assembly resolution 45/37 of 28 November 1990.

2. At its 3rd plenary meeting, on 18 September 1992, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. In connection with the item, the Sixth Committee had before it the report of the Secretary-General (A/47/323), which was submitted in accordance with General Assembly resolution 45/37 and was introduced by the Under-Secretary-General, the Legal Counsel, at the 7th meeting of the Committee, on 28 September 1992.

4. The Sixth Committee considered the item at its 7th and 19th meetings, on 28 September and 23 October 1992. The summary records of those meetings are contained in documents A/C.6/47/SR.7 and 19.

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II. CONSIDERATION OF DRAFT RESOLUTION A/C.6/47/L.5

5. At the 19th meeting, on 23 October, the representative of Cuba introduced a draft resolution (A/C.6/47/L.5), entitled "Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States", sponsored by Cuba, Ghana, Mozambique, Namibia, Nigeria, the United Republic of Tanzania and Zimbabwe, later joined by Cameroon, Egypt, the Libyan Arab Jamahiriya and Senegal.

6. At the same meeting, the Committee adopted draft resolution A/C.6/47/L.5 by a recorded vote of 61 to 9, with 28 abstentions (see para. 9). The voting was as follows: 1/

In favour: Algeria, Antigua and Barbuda, Armenia, Bahrain, Barbados, Benin, Botswana, Brazil, Brunei Darussalam, Cameroon, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Malawi, Malaysia, Maldives, Mali, Mexico, Morocco, Mozambique, Myanmar, Namibia, Niger, Nigeria, Oman, Pakistan, Peru, Rwanda, Saudi Arabia, Senegal, Singapore, Sri Lanka, Suriname, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam and Zimbabwe.

Against: Belgium, France, Germany, Israel, Italy, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland and United States of America.

Abstaining: Argentina, Australia, Austria, Belarus, Bulgaria, Canada, Costa Rica, Czechoslovakia, Denmark, Finland, Greece, Hungary, Japan, Liechtenstein, Malta, Marshall Islands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saint Kitts and Nevis, Spain, Sweden, Turkey and Ukraine.

1/ The representative of Ireland subsequently indicated that, had he been present, he would have abstained. The representatives of the Sudan, Mauritania, Uganda, the Libyan Arab Jamahiriya, Yemen and Bangladesh subsequently indicated that, had they been present, they would have voted in favour of the draft resolution.

After the Committee had concluded its consideration of the item, the Chairman was informed by the representative of Qatar that, had he been present, he would have voted in favour of the draft resolution.

7. The representatives of the United Kingdom of Great Britain and Northern (on behalf of the States Members of the United Nations that are members of the European Community), Argentina, the United States of America and Israel made statements in explanation of vote before the vote (see A/C.6/47/SR.19).

8. The representative of the Republic of Korea made a statement in explanation of vote after the vote (see A/C.6/47/SR.19).

III. RECOMMENDATION OF THE SIXTH COMMITTEE

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States

The General Assembly,

Recalling its resolutions 35/167 of 15 December 1980, 37/104 of 16 December 1982, 39/76 of 13 December 1984, 41/71 of 3 December 1986, 43/160 B of 9 December 1988 and 45/37 of 28 November 1990,

Recalling also its resolutions 3237 (XXIX) of 22 November 1974 and 3280 (XXIX) of 10 December 1974,

Taking note of the report of the Secretary-General, 2/

Bearing in mind the resolution of the United Nations Conference on the Representation of States in Their Relations with International Organizations relating to the observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States, 3/

Noting that the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, of 14 March 1975, 4/ regulates only the representation of States in their relations with international organizations,

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2/ A/47/323.

3/ See Official Records of the United Nations Conference on the Representation of States in Their Relations with International Organizations, Vienna, 4 February-14 March 1975, vol. II (United Nations publication, Sales No. E.75.V.12), document A/CONF.67/15, annex.

4/ Ibid., vol. II, p. 207.

Taking into account the current practice of inviting the above-mentioned national liberation movements to participate as observers in the sessions of the General Assembly, specialized agencies and other organizations of the United Nations system and in the work of the conferences held under the auspices of such international organizations,

Convinced that the participation of the national liberation movements referred to above in the work of international organizations helps to strengthen international peace and cooperation,

Desirous of ensuring the effective participation of the above-mentioned national liberation movements as observers in the work of international organizations and of regulating, to that end, their status and the facilities, privileges and immunities necessary for the performance of their functions,

Noting that many States have recognized those national liberation movements and have granted them facilities, privileges and immunities in their countries,

1. Calls upon all States that have not done so, in particular those which are host to international organizations or to conferences convened by, or held under the auspices of, international organizations of a universal character, to consider as soon as possible the question of ratifying, or acceding to, the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character;

2. Urges the States concerned to accord to the delegations of the national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States and accorded observer status by international organizations, the facilities, privileges and immunities necessary for the performance of their functions, in accordance with the provisions of the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character;

3. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.